

**City of Miami Beach - City Commission Meeting
Commission Chambers, 3rd Floor, City Hall
1700 Convention Center Drive
September 20, 2001**

Mayor Neisen O. Kasdin
Vice-Mayor Matti Herrera Bower
Commissioner Simon Cruz
Commissioner David Dermer
Commissioner Luis R. Garcia, Jr.
Commissioner Nancy Liebman
Commissioner Jose Smith

City Manager Jorge M. Gonzalez
City Attorney Murray H. Dubbin
City Clerk Robert E. Parcher

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ATTENTION ALL LOBBYISTS

Chapter 2, Article VII, Division 3 of the City Code of Miami Beach entitled "Lobbyists" requires the registration of all lobbyists with the City Clerk prior to engaging in any lobbying activity with the City Commission, any City Board or Committee, or any personnel as defined in the subject Code sections. Copies of the City Code sections on lobbyists laws are available in the City Clerk's office. Questions regarding the provisions of the Ordinance should be directed to the Office of the City Attorney.

CONSENT AGENDA

- PA1 D-Cert. of Apprec./F. Blanco, Repair of Normandy Shores Gate/Saved City Money. 1
PA2 Cert. of Apprec./Major Charles Press, Graduating From FBI National Academy. (Kasdin) 39
PA3 Cert. of Apprec./MB Patrol Div./Staff, USLA Nat'l Lifeguard Championships Contribution.
PA4 Cert. of Apprec./Companies which Helped PAL Assist the Youth of our Community. (Kasdin)
PA5 Cert. of Apprec./Maria Cruz, 30 Years Dedication to Students of MB Senior High. (Garcia)
PA6 Plaque/Robert Thomas, Retirement After 29 Years of Service w/ CMB.
PA7 **4:30 p.m.** Cert. of Apprec./Source Awards Weekend Participants.
PA8 Presentation on the Oct. 11th Domestic Violence Event at Lincoln Theater. (Liebman) 3
- C4A Ref: Community Affairs Comm., Air Mayoral Debate on Local Govt. Access Channel. (Garcia) 7
C4B Ref: Planning Board, Various Amendments to Land Development Regulations. 9
- C6A Report: Finance & Citywide Projects Committee Meeting of August 30, 2001. 11
- C7A Set Public Hrg., Consider Ordinance to Amend Code, Art in Public Places. 13
C7B Appropriate Funds/Negotiate, Plaza de Espana/Drexel Ave. Roadway Improvements. 27
C7C Call for a Special Election, Rename Flamingo Park Baseball Stadium, "Skip Bertman Stadium". 31
C7D Approve Placement of (15) Banners, Latin American Week 2001, Sept. 28-Oct. 16, 2001. 39
C7E Approve Placement of (25) Banners, 31st Annual S. Fla. Int'l Auto Show, Sept. 28-Oct. 17, 2001. 47
C7F Approve Placement of (93) Banners, Super Model of the World, Oct. 30-Nov.19, 2001. 55
C7G Auth. Advance of \$50,000 to N. Bch Devlp't Corp., from Quality of Life/Resort Tax Funds. 63
C7H Retroactively Approve Grant Application (TOP), Roadway Enhancement for 16th Street Corridor. 65
C7I Amend Agmt w/ Salvation Army, Provide Emergency Shelter Beds to CMB Homeless. 93
C7J Set Public Hrg., Consider Revisions to Parking Lots or Regs. on Certain Lots (Ocean Drive). 101
C7K Set Public Hrg., Consider Change to Official Zoning Map for Alaska Parcel. 113
C7L Set Public Hrg., Consider Change to Future Land Use Map. 127
C7M Set Public Hrg., Proposed Uses of Local Law Enforcement Block Grant Funds. 141

- C7N Approp. G.O. Bond Funds, Citywide Shoreline/Waterway Improvement Projects. 145
 C7O Approp., G.O. Bond Funds, Research & Devlp't of Beach Access System for the Disabled. 149
 C7P Approp. Concurrency Mitigation Funds, Intersection Improvements on 41st St. at Indian Creek. 153
 C7Q Approp. General Funds, Supply/Install Maintenance Coating System for Police Station Roof. 161

REGULAR AGENDA

- R5A **11:00 a.m. 1st Rdg**, Amend Code, Revisions to the I-1 & CD-2 Permitted Uses. **5/7** 165
 R5B **11:35 a.m. 2nd Rdg**, Amend Code "Naming of Public Facilities/Establish Monuments. 175
 R5C **11:40 a.m. 2nd Rdg**, Amend No. 789, Classified Employees Salary Ordinance (IAFF). 183
 R5D **11:45 a.m. 2nd Rdg**, Amend No. 1605, Unclassified Employees Salary Ord. (Classifications) 193
 R5E **11:50 a.m. 2nd Rdg**, Amend No. 789, Classified Employees Salary Ordinance (Group VI). 207
 R5F **11:30 a.m. 1st Rdg**, Amend No. 789, Classified Employees Salary Ordinance (AFSCME). 215
 R5G **1st Rdg**, Amend Code, "Agencies, Boards & Committees". 225
 R5H **1st Rdg**, Amend Code, "Display of Signs/Advertisement on Parked Vehicles Prohibited". **5/7** 229
 R5I **2:00 p.m. 1st Rdg**, Amend Code, Revisions to the Sign Regulations. **5/7** 237
 R5J **2:30 p.m. 1st Rdg**, Amend Code, Revision to the Lot Split Process. **5/7** 247
- R6A Report: G.O. Bond Oversight Committee Meeting of September 10, 2001. 259
 R6B Report: Land Use & Development Committee Meeting of September 10, 2001. 261
- R7A **10:30 a.m. Public Hrg.**, Waive Development Regulations, Proposed Regional Library. **5/7** 265
 R7B **10:45 a.m. Public Hrg.**, Waive Development Regulations, MB Chamber of Commerce. **5/7** 271
 R7C **4:00 p.m.** Execute Joint Use Agmt, Recreational Improvements on Biscayne Elementary. 277
 R7D **3:00 p.m.** Execute Agmt, Management/Operation of Beachfront Concessions. 301
 R7E **3:00 p.m.** Waive Bid/Execute Agmt, Mgmt of Food/Bev. Concession 10th St. Auditorium. **5/7** 401
 R7F **4:45 p.m.** Execute Agmt w/ Banc of America, Lease/Purchase of Certain Equipment. 407/**SM**
 R7G Approve 3-Year Labor Agmt w/ AFSCME, May 1, 2001 through April 30, 2004. 447
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 R7I Appoint Don De Lucca As Chief Of Police For CMB. **A**
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 R9C Disc. Alaska Parcel. (Liebman) 557
 R9D Disc. New Findings Related to Zoning/FPL Restrictions, Proposed Fire Station 4 Site. (Garcia) 585
 R9E **3:00 p.m.** Disc. Beach Concessions & Cooking in Lummus Park. (Liebman) 589
 R9F **5:00 p.m.** Disc. Reso. re: Set Public Hrg., Waiver of Devlp't Regs. to 17th St. Garage.(Liebman) 593
 R9G Disc. Resolution re: Police Reserve Retirees. (Kasdin) **A**
 R9H **1:30 p.m.** Disc. Tragedy Impact on Tourism/Initiatives City Should Pursue. (Kasdin) **A**
- R10A **Noon Break**, Executive Session: Gazit (Meridian) Inc. vs. CMB. 597

REPORTS AND INFORMATIONAL ITEMS

- A Status Report on Collins Park Cultural Center. 599
 B Report on All City Contracts for Renewal/Extension Exceeding \$25,000. 607
 C Altos Del Mar Report. 609/**SM**

REDEVELOPMENT AGENCY ITEMS - 10:00 A.M.

- 3A Adopt Operating/Capital Budgets, S. Pointe & City Center RDA for FY 2001/02. **(Budget Item)** 1
 3B Adopt Operating Budget for FY 2001/02 for Operation of Anchor Shops/Parking. **(Budget Item)** 15

Call to Order – 9:42:05 a.m.

Inspirational Message given by Father Enrique Estrada from St. Patrick's Catholic Church.

Pledge of Allegiance given by Police Chief Richard Barreto.

PA - Presentations and Awards

- PA1 Certificate Of Appreciation To Be Presented To Fernando Blanco, For Volunteer Work Of Repairing The Gate At The Normandy Shores Security District Which Saved The City And Residents A Considerable Sum Of Money In The Process.

(Public Works)

ACTION: Deferred.

- PA2 Certificate Of Appreciation To Be Presented To Major Charles Press, For Graduating From The FBI National Academy.

(Requested By Mayor Neisen Kasdin)

ACTION: Deferred.

- PA3 Certificates Of Appreciation To Be Presented To The Miami Beach Patrol Division And Specific Staff Who Contributed To The Success Of The 2001 USLA National Lifeguard Championships, Held In Miami Beach On August 9-11, 2001.

(Parks & Recreation)

ACTION: Certificates of Appreciation presented.

- PA4 Certificates Of Appreciation To Be Presented To The Following Companies: Scholastic, Inc., Charter Communications, Sony Music Entertainment, Inc., PowerUp, Dacra Corporation, Cleveland Bar & Grill, Publix Markets, Inc., Aetna Paint And Mango's Tropical Café, For Helping The Miami Beach Police Athletic League Assist The Youth Of Our Community.

(Requested By Mayor Neisen Kasdin)

ACTION: Certificates of Appreciation presented.

- PA5 Certificate Of Appreciation To Be Presented To Maria Cruz, For 30 Years Of Dedication To The Students Of Miami Beach Senior High School And The Community.

(Requested By Commissioner Luis R. Garcia, Jr.)

(Deferred From September 5, 2001)

ACTION: Deferred.

- PA6 Plaque To Be Presented To Robert Thomas, For His Retirement After Twenty-Nine Years of Service With The City Of Miami Beach.

(City Manager's Office)

ACTION: Plaque presented.

5:31:24 p.m.

- PA7 Certificates Of Appreciation To Be Presented to Jerry Rushin, Reverend Willie Sims, Dr. Larry Capp, Reverend Larry Edwards, Tom Battles, Marlo Courtney, Ian Henry, The Loews Hotel, Lynda Veski, Jerome Berrian And Alkareem Azim, For Their Participation During The Source Awards Weekend.

(City Manager's Office)

ACTION: Certificates of Appreciation presented.

PA8 Presentation On The October 11th Domestic Violence Event At Lincoln Theater.
(Requested By Commissioner Nancy Liebman)

ACTION: Presentation made.

10:09:00 a.m.

ADDENDUM ITEMS (R7I, R9G, AND R9H)

ACTION: Motion made by Commissioner Liebman to add the Addendum items, by 5/7 vote, to the Agenda; seconded by Commissioner Garcia; Voice vote: 5-0; Absent: Vice-Mayor Bower and Commissioner Cruz.

CONSENT AGENDA

ACTION: Motion made by Commissioner Smith to approve the Consent Agenda; seconded by Commissioner Garcia; Voice vote: 6-0; Absent: Vice-Mayor Bower.

C4 - Commission Committee Assignments

10:18:55 a.m.

C4A Referral To The Community Affairs Committee - Airing The Mayoral Debate On Local Government Access Channel.

(Requested By Luis R. Garcia, Jr.)

ACTION: Separated for discussion by Commissioner Garcia. Motion made by Commissioner Cruz
1) Authorizing the Administration to videotape and air, on Channel 20, the Political Forum sponsored by the Miami Gay & Lesbian Film Festival with mayoral candidates Elaine Bloom, David Dermer, Oscar Hernandez, and Nancy Liebman; 2) Referring the issue of selecting two (2) additional forums to be taped and aired to the Community Affairs Committee meeting being held on 9/25; and 3) Delegating to the Community Affairs Committee the authority to direct the Administration to tape and air a political forum if it occurs before the October 17 Commission meeting; seconded by Commissioner Garcia; Voice vote: 6-0; Absent: Vice-Mayor Bower. R. Parcher to handle. Judy Hoanshelt to pace on the agenda.

Handout:

1. Letter from Phillip Matthews to Bob Parcher, dated September 11, 2001.

- C4B Referral To The Planning Board - Various Amendments To The Land Development Regulations.
(Planning Department & City Attorney's Office)

ACTION: Referred. Jorge Gomez to place on the agenda.

C6 - Commission Committee Reports

- C6A Report Of The Finance And Citywide Projects Committee Meeting Of August 30, 2001: **1)** Discussion Of Proposed Incentives For The Production Industry; **2)** Cost Savings Initiative Relative To The Evaluation And Consideration Of A City Procurement Card Program; And **3)** Cost Savings Initiative Relative To New Digital Copier Contract.

ACTION: Written report submitted.

- 1) The Committee approved the item and recommended that it be forwarded to the full Commission for approval. **James Quinlan to handle.**
- 2) Withdrawn.
- 3) Withdrawn.

C7 - Resolutions

- C7A A Resolution Setting A Public Hearing To Consider An Ordinance Of The Mayor And City Commission Of Miami Beach, Florida, Amending Various Sections Of The City Code, Including The Land Development Regulations, Concerning Art In Public Places, And Involvement In The Selection Of Public Art By The Design Review And The Historic Preservation Boards; Amending Chapter 82, Article VII, Art In Public Places, Division 1, Section 82-537, Definitions, To Add Two Members Of The Design Review Or Historic Preservation Boards To The Professional Advisory Committee, Depending Upon The Location Of The Project And The Respective Board's Jurisdiction; Amending Section 82-612 To Provide That In The Absence Of A Professional Advisory Committee, That The Designated Design Review Or Historic Preservation Board Members Shall Serve As Such Committee To Advise The Art In Public Places Committee; Amending Sections 118-71(2) And 118-102(3) To Provide That The Jurisdiction Of The Design Review And Historic Preservation Boards Shall Be Advisory To The Art In Public Places Committee On The Selection Of Works Of Art, And To Provide That Such Advice Be Provided Prior To The Art In Public Places Committee's Recommendation To The City Commission; Providing For Codification, Severability, Repealer And An Effective Date.

(Arts, Culture & Entertainment)

ACTION: Resolution No. 2001-24580 adopted. R. Parcher to notice. Lilia Cardillo to place on the agenda.

10:31:15 a.m.

- C7B A Resolution Appropriating \$219,500 From The Stormwater Revenue Bonds Series Fund 428, And \$180,000 From The 92 Million General Obligation Bond Series 2000, Fund 373 And Authorizing The Administration To Enter Into Negotiations With Williams Paving Co., Inc., Pursuant To Bid No. 39-00/01 For The Plaza De Espana/Drexel Avenue Roadway Improvements.
(Capital Improvement Projects)

ACTION: Separated for discussion by Commissioner Liebman. Resolution No. 2001-24581 adopted as amended. Motion made by Commissioner Liebman approving the appropriation and in addition, approving the awarding and authorizing the Mayor and City Clerk to execute the agreement, seconded by Commissioner Cruz; Voice vote: 6-0. Patricia Walker to appropriate the funds. Gus Lopez and Tim Hemstreet to handle.

Commissioner Liebman asked what preparations the contractor and the City are making to insure that the businesses will be able to continue. The Collins Avenue project, Lincoln Road and North Beach projects are examples of projects, which tried to minimize the impact on businesses.

Tim Hemstreet stated that there have been meetings with the business owners in the area and another meeting is scheduled for September 25 to review the phases of the project. The objective is to meet with the business owners on a regular basis to keep them informed.

Bob Middaugh requested the resolution be amended from appropriating and negotiating the contract to appropriating, negotiating, and awarding the contract to save time.

- C7C A Resolution Calling For A Special Election To Be Held On Tuesday, November 6th, 2001, For The Purpose Of Submitting To The Electorate Of The City Of Miami Beach A Question Concerning Whether The Flamingo Park Baseball Stadium (Located Generally At 1435 Michigan Avenue, Miami Beach, Florida) Shall Be Renamed "Skip Bertman Stadium".
(City Attorney's Office)
(Deferred From September 5, 2001)

ACTION: Resolution No. 2001-24582 adopted. R. Parcher to handle.

- C7D A Resolution Approving And Authorizing The Placement Of Fifteen (15) Banners For Latin American Week 2001, To Be Held October 11, 2001 To October 14, 2001, As Requested By The Applicant At The Following Locations: Convention Center Drive, Between 17th Street To Dade Boulevard; Dade Boulevard, Washington Avenue To Alton Road; And 17th Street, Between Meridian Avenue To Washington Avenue; Said Banners To Be Affixed To Light Poles In The Public Right-Of-Way, Measuring 3 Feet X 7 Feet And Having Copy And Design As Shown On The Attached Drawings; To Be Installed And Removed In Accordance With All Other Applicable City Requirements; The Administration Further Recommends That These Banners Be Installed No Earlier Than September 28, 2001, And Removed By October 16, 2001.

(Cultural Affairs & Tourism Development)

ACTION: Resolution No. 2001-24583 adopted. James Quinlan to handle.

10:47:00 am

Signed up to Speak on items C7D, C7E, and C7F.

Joe Fontana stated that all the approved banners around the City conflict with the display of the American flag and it's getting out of hand.

- C7E A Resolution Approving And Authorizing The Placement Of Twenty-Five (25) Banners For 31st Annual South Florida International Auto Show, To Be Held October 11, 2001 To October 15, 2001, As Requested By The Applicant At The Following Locations: Macarthur Causeway, Between The Coast Guard Station And Alton Road; 5th Street, Between Alton Road And Ocean Drive; And West Side Of Convention Center Drive, Between 17th Street And Dade Boulevard; Said Banners To Be Affixed To Light Poles In The Public Right-Of-Way, Measuring 3 Feet X 7 Feet And Having Copy And Design As Shown On The Attached Drawings; To Be Installed And Removed In Accordance With All Other Applicable City Requirements; The Administration Further Recommends That These Banners Be Installed No Earlier Than September 28, 2001, And Removed By October 17, 2001.
(Cultural Affairs & Tourism Development)

ACTION: Resolution No. 2001-24584 adopted. James Quinlan to handle.

- C7F A Resolution Approving And Authorizing The Placement Of Ninety-Three (93) Banners For Ford Models' Super Model Of The World, To Be Held November 10, 2001 To November 17, 2001, As Requested By The Applicant At The Following Locations: Macarthur Causeway, Between The Coast Guard Station And Alton Road; 5th Street, Between Alton Road And Ocean Drive; Center Poles Of Washington Avenue, Between 5th Street To Lincoln Road; East And West Side Of Washington Avenue, Between 8th Street To Espanola Way; Collins Avenue, Between 5th Street To 25th Street; And 17th Street, Between Alton Road To Washington Avenue; Said Banners To Be Affixed To Light Poles In The Public Right-Of-Way, Measuring 3 Feet X 7 Feet And Having Copy And Design As Shown On The Attached Drawings; To Be Installed And Removed In Accordance With All Other Applicable City Requirements; The Administration Further Recommends That These Banners Be Installed No Earlier Than October 30, 2001, And Removed By November 19, 2001.
(Cultural Affairs & Tourism Development)

ACTION: Resolution No. 2001-24585 adopted. James Quinlan to handle.

10:38:08 a.m.

- C7G A Resolution Authorizing The City Manager To Advance \$50,000 To North Beach Development Corporation, From The North Beach Portion Of Quality Of Life/Resort Tax Funds For Fiscal Year 1999/2000, Which Were Previously Appropriated In Resolution 2001-24396.
(Finance Department)

ACTION: Separated for discussion by Commissioner Cruz. Item Referred. Motion made by Commissioner Cruz to refer the item to the Finance and Citywide Projects Committee; seconded by Commissioner Liebman; Voice vote: 5-1; Opposed: Commissioner Smith; Absent: Vice-Mayor Bower. Patricia Walker to handle.

- C7H Resolution Retroactively Approving The Administration's Submission Of A \$100,000 Grant Application To The State Of Florida's Transportation Outreach Program (TOP) -2002, Administered By The Florida Department Of Transportation; The Application Being For Preliminary Planning/ Design/Environmental Services For A Proposed Operational Improvements And Roadway Enhancements Project For The 16th Street Corridor; Stating That The Required \$20,000 Local Match Would Be Provided By Concurrency Mitigation Funds-South Beach; And Further Appropriating Both Funds If The Grant Is Awarded.
(Grants Management)

ACTION: Resolution No. 2001-24587 adopted. Patricia Walker to appropriate the funds. Judy Hoanshelt and Joseph Johnson to handle.

- C7I A Resolution Amending The Agreement With The Salvation Army, A Georgia Corporation, To Provide Emergency Shelter Beds To The City Of Miami Beach Homeless Population, For The Amount Of \$115,000, Extending The Expiration Date Of Said Agreement; And Authorizing The City Manager, Or His Designee, To Execute All Applicable Documents; And Further Authorizing The City Manager, Or His Designee, To Develop A Request For Proposals For The Purpose Of Purchasing Transitional Treatment Housing Services
(Neighborhood Services)

ACTION: Resolution No. 2001-24588 adopted. Vivian Guzman to handle.

10:42:18 a.m.

- C7J Revisions To The Parking Lots Or Regulations On Certain Lots (Ocean Drive)
A Resolution Setting Public Hearings To Consider Proposed Amendments To The Land Development Regulations Of The Code Of The City Of Miami Beach, Florida, Amending Chapter 142, "Zoning Districts And Regulations" By Amending Section 142-1107, "Parking Lots Or Garages On Certain Lots" By Providing That Vacant Lots Fronting Ocean Drive That Existed As Of January 1, 1999 May Be Used For Provisional Or Temporary Parking Lots As Provided For In Sections 130-70 And 130-71 Of The Miami Beach City Code.
(Planning Department)

ACTION: Separated for discussion by Commissioner Liebman. Resolution not adopted. Motion made by Commissioner Liebman to reject the item and not set a public hearing; seconded by Commissioner Garcia; Voice vote: 6-0; Absent: Vice-Mayor Bower.

Handout:

1. Email from Mr. Frank Del Vecchio to Jorge Gomez, Gary Held and Robert Parcher, dated September 12, 2001, RE: Planning Board Application No. 1505 and 1506, (Alaska Parcel) Notice Requirements for City Commission Hearing on proposed ordinance

- C7K Change To The Official Zoning Map For The Alaska Parcel
A Resolution Setting A Public Hearing To Consider A Proposed Amendment To The Official Zoning District Map, Referenced In Section 142-72 Of The Code Of The City Of Miami Beach, Florida, By Changing The Zoning District Classification For The Property Known As The "Alaska" Parcel, A Parcel Of Unplatted Land Of Approximately 3.4 Acres, Located Northwest Of South Pointe Park, From The Current MR, Marine Recreational, To The Proposed Future Land Use Category CPS-3, Commercial Intensive Mixed Use.

(Planning Department)

ACTION: Resolution No. 2001-24590 adopted. R. Parcher to notice. Lilia Cardillo to place on the agenda.

- C7L Change To The Future Land Use Map
A Resolution Setting A Public Hearing To Consider An Amendment To The Future Land Use Map Of The City Of Miami Beach Comprehensive Plan By Changing The Future Land Use Category For The Property Known As The "Alaska" Parcel, A Parcel Of Unplatted Land Of Approximately 3.4 Acres, Located Northwest Of South Pointe Park, From The Current MR, Marine Recreational, To The Proposed Future Land Use Category CPS-3, Commercial Intensive Mixed Use.

(Planning Department)

ACTION: Resolution No. 2001-24591 adopted. R. Parcher to notice. Lilia Cardillo to place on the agenda.

- C7M A Resolution Setting A Public Hearing On The Proposed Uses Of Local Law Enforcement Block Grant Funds On October 17, 2001, At 10:30 am.

(Police Department)

ACTION: Resolution No. 2001-24592 adopted. R. Parcher to notice. Lilia Cardillo to place on the agenda.

- C7N A Resolution Appropriating \$285,500 From The General Obligation Bond Series 2000 For Citywide Shoreline And Waterway Improvement Projects.

(Public Works)

ACTION: Resolution No. 2001-24593 adopted. Patricia Walker to appropriate the funds.

- C7O A Resolution Appropriating \$18,000 From The General Obligation Bond Series 2000 For Research And Development Of A Beach Access System For People With Disabilities.

(Public Works)

ACTION: Resolution No. 2001-24594 adopted. Patricia Walker to appropriate the funds.

- C7P Resolution Authorizing The Appropriation Of \$56,000 In Concurrency Mitigation (Middle Beach) Funds For The Implementation Of Intersection Improvements On 41st Street At Indian Creek Drive; Such Traffic Operation/Safety Improvements Being Recommended By The Municipal Mobility Plan (MMP) As A Priority Project, Which Has Been Designed/Engineered For The City By The Florida Department Of Transportation; And Further Rescinding Resolution No. 2001-24492, Dated June 27, 2001, Which Had Authorized The Appropriation Of \$24,000 For The Project.
(Public Works)

ACTION: Resolution No. 2001-24595 adopted. Patricia Walker to appropriate the funds.

- C7Q A Resolution Appropriating \$170,062 From The General Fund Undesignated Fund Balance, And Awarding A Contract To Southern Coast Enterprises, Inc., In The Amount Of \$160,062, To Include A Contingency Fee Of \$10,000; Should A Requirement Exist To Provide Additional Work For Unforeseen Conditions; Pursuant To Invitation To Bid No. 23-00/01, For The Supply And Installation Of A Maintenance Coating System For The Police Station Roof.
(Public Works)

ACTION: Resolution No. 2001-24596 adopted. Patricia Walker to appropriate the funds

End of Consent Agenda

REGULAR AGENDA**R5 - Ordinances****11:24:25 a.m.****R5A Revisions To The I-1 And CD-2 Permitted Uses**

An Ordinance Amending The Land Development Regulations Of The Code Of The City Of Miami Beach, Florida, Amending Chapter 142, "Zoning Districts And Regulations," By Amending Division 11 "I-1 Light Industrial District," By Amending Section 142-481 "Purpose," By Including Offices; Section 142-482, By Amending Section 142-484(2), "Accessory Uses," By Eliminating Accessory Outdoor Bar Counters As An Accessory Use In The I-1 District; By Amending "Section 142-485 "Prohibited Uses," To Include Bars, Dance Halls Or Entertainment Establishments Not Also Operating As Restaurants As Prohibited Uses In The I-1 District; By Amending Division 5. "Cd-2 Commercial, Medium Intensity District," Section 142-302 "Main Permitted Uses" By Creating An Overlay District In The Purdy Avenue/Dade Boulevard Area Prohibiting Bars, Dance Halls Or Entertainment Establishments Not Also Operating As Restaurants; Providing For Inclusion In The Code Of The City Of Miami Beach, Florida; Repealer; Severability; And An Effective Date. **11:00 a.m. First Reading, Public Hearing.**

(Planning Department)

ACTION: Public Hearing held. Ordinance approved on first reading. Motion made by Commissioner Liebman; seconded by Commissioner Smith; Ballot vote: 6-0; Absent: Vice-Mayor Bower; Second Reading and Public Hearing scheduled for October 17, 2001. R. Parcher to notice. Lilia Cardillo to place on the agenda. Jorge Gomez to handle.

Referral to Planning Board. Motion made by Commissioner Liebman to refer to the Planning Board the issue of restaurants in close proximity to residential neighborhoods in terms of the 5:00 am license, entertainment component, and distance considerations; seconded by Commissioner Cruz; Voice vote; 5-0; Absent; Vice-Mayor Bower and Commissioner Smith. Jorge Gomez to place on the agenda.

City Clerk's Note: 5:25 p.m.

Handouts:

1. Notice of Ad in Miami Herald

2. Color Map

11:49:56 a.m.

R5B An Ordinance Amending Chapter 82, Article VI Of The Miami Beach City Code Entitled "Naming Of Public Facilities And Establishment Of Monuments And Memorials"; Specifically Amending Section 82-503(a)(4) Therein To Provide That Public Facilities Shall Not Be Named Or Renamed For Living Persons Unless The Naming Or Renaming Is Submitted To The Electorate Of The City By Referendum At The Next Regularly Scheduled Election And So Approved By A Majority Of The Electorate Voting In Such Referendum; Providing For Repealer; Severability; Codification; And An Effective Date. **11:35 a.m. Second Reading, Public Hearing.**

(City Manager's Office)
(First Reading On September 5, 2001)

ACTION: Public Hearing held. Ordinance Number 2001-3319 adopted. Motion made by Commissioner Smith; seconded by Commissioner Garcia; Ballot vote: 6-0; Absent: Vice-Mayor Bower. R. Parcher to transmit to Municipal Code Corporation.

Handouts:

Notice of Ad in Miami Herald

11:51:09 a.m.

R5C An Ordinance Amending Ordinance No.789, The Classified Employees Salary Ordinance Of The City Of Miami Beach, Florida, Providing For Those Classifications Represented By The International Association Of Firefighters (IAFF) In Accordance With The Negotiated Agreement A 4% Increase The First Full Payroll Period That Begins On Or After September 25, 2000, And A 4% Increase Effective With The First Full Payroll Period That Begins On Or After September 24, 2001, And A 4% Increase Effective With The First Full Payroll Period That Begins On Or Before September 30, 2002; Repealing All Ordinances In Conflict; Providing For Severability And Providing For An Effective Date. **11:40 a.m. Second Reading, Public Hearing.**

(Human Resources)
(First Reading On September 5, 2001)

ACTION: Public Hearing held. Ordinance Number 2001-3320 adopted. Motion made by Commissioner Dermer; seconded by Commissioner Garcia; Ballot vote: 6-0; Absent: Vice-Mayor Bower. R. Parcher to transmit to Municipal Code Corporation. T. C. Adderly to handle.

Commissioner Garcia stated that firefighter Lee Amato's brother is one of the firefighters missing in the New York World Trade Center disaster. Mr. Amato is in New York assisting in the search.

Commissioner Garcia asked if there is anything the Administration could do to assist Mr. Amato and anyone else who has a similar situation to please do so.

Handouts:

Notice of Ad in Miami Herald

11:57:25 a.m.

R5D An Ordinance Amending Ordinance No. 1605, The Unclassified Employees Salary Ordinance, By Abolishing The Classification Of Housing, Community And Economic Development Division Director; Establishing The Classifications Of Capital Improvement Program Director, Community Information Manager, Senior Capital Projects Coordinator, Capital Projects Administrator, Senior Project Planner, Chief Engineering Inspector, Chief Accessibility Inspector, Inspection Services Coordinator, Departmental ADA Coordinator, Records Manager, Neighborhood Services Director, Assistant To The Neighborhood Services Director, Homeless Program Coordinator, Chief Of Staff, Cultural Affairs & Tourism Development Director, Economic Development Division Director, Housing Development Division Director, Community Development Division Director, Case Worker, Finance Manager, Assistant Internal Auditor, Grants Manager; Transferring The Titles Of The Classifications Of Civil Engineer I, Civil Engineer II, Planner, Administrative Aide II/Risk Management, Clerk Typist/Risk Management; Amending The Titles Of The Classifications Of Finance Director To Chief Financial Officer, District Project Manager To Community Resources Coordinator; And Recreating The Classification Of Security Specialist; Providing For A Repealer, Severability, Effective Date And Codification. **11:45 a.m. Second Reading, Public Hearing.**

(Human Resources)
(First Reading On September 5, 2001)

ACTION: Public Hearing held. Ordinance Number 2001-3321 adopted. Motion made by Commissioner Garcia; seconded by Commissioner Cruz; Ballot vote: 6-0; Absent; Vice-Mayor Bower. R. Parcher to transmit to Municipal Code Corporation. T. C. Adderly to handle.

Handouts:

Notice of Ad in Miami Herald

11:54:40 a.m.

R5E An Ordinance Amending Ordinance No. 789, The Classified Employees Salary Ordinance, For Classifications In Group VI, Being Other Classifications In The Classified Service Not Covered By A Bargaining Unit, By Creating The Classifications Of Backflow Coordinator And Senior Elevator Inspector; Transferring The Titles Of The Classifications Of Crime Scene Technician I, Crime Scene Technician II, Police Fleet Specialist, Property Evidence Technician I, Property Evidence Technician II, Public Safety Specialist And Police Records Technician From The Group VI, Being Others, To The Communication Workers Of America Bargaining Unit; Providing For A Repealer, Severability, Effective Date And Codification. **11:50 a.m. Second Reading, Public Hearing.**

(Human Resources)
(First Reading On September 5, 2001)

ACTION: Public Hearing held. Ordinance Number 2001-3322 adopted. Motion made by Commissioner Liebman; seconded by Commissioner Garcia; Ballot vote: 6-0; Absent; Vice-Mayor Bower. R. Parcher to transmit to Municipal Code Corporation. T. C. Adderly to handle.

Handouts:

Notice of Ad in Miami Herald

11:39:38 a.m.

R5F An Ordinance Amending Ordinance No. 789, The Classified Employees' Salary Ordinance, For The Group I Classification, Being The Classifications Covered By The Miami Beach Municipal Employees, AFSCME Local No. 1554, In Accordance With The Negotiated Agreement; Retroactively Increasing On The First Pay Period Starting April 23, 2001 The Minimum Of The Ranges By Approximately 14.6% And The Maximum Of The Ranges By 4% To Reflect The Current Classification And Pay System; Increasing The Salary Of Each Employee, Retroactively By 4% Effective With The First Pay Period Starting On Or Before April 23, 2001; Bargaining Unit Employees Shall Receive An Across The Board Increase Of Four Percent (4%) With The First Pay Period Starting On Or Before April 22, 2002, And A Four Percent (4%) Increase To The Minimum And The Maximum Of The Ranges; And An Across The Board Increase Of Four Percent (4%) With The First Pay Period Starting On Or Before April 30, 2003, And A Four Percent (4%) Increase To The Minimum And The Maximum Of The Ranges; Providing For A Repealer, Severability, Codification And Effective Dates. **First Reading.**

(Human Resources)

ACTION: Heard in conjunction with R7G. Ordinance approved on first reading. Motion made by Commissioner Smith; seconded by Commissioner Garcia; Ballot vote: 6-0; Absent: Vice-Mayor Bower. Second Reading and Public Hearing scheduled for October 17, 2001. R. Parcher to notice. Lilia Cardillo to place on the agenda. T. C. Adderly to handle.

City Clerk's Note: 10:35 am

12:01:02 p.m.

R5G An Ordinance Amending Chapter 2, Article III, Of The Miami Beach City Code, Entitled "Agencies, Boards And Committees"; Amending Division 28, Section 2-190.127 Therein, Which Established The Membership And Purpose Of The General Obligation Bond Oversight Committee; Said Amendment Changing The Member From The Community Development Advisory Committee And The Member From The City's Historic Preservation Board, Respectively, From Non-Voting Members, To Voting Members Of The Committee; Providing For Severability; Codification; Repealer; And An Effective Date. **First Reading.**

(City Attorney's Office)

ACTION: Ordinance approved on first reading. Motion made by Commissioner Liebman; seconded by Commissioner Smith; Ballot vote: 6-0; Absent: Vice-Mayor Bower. Second Reading and Public Hearing scheduled for October 17, 2001. R. Parcher to notice. Lilia Cardillo to place on the agenda. Tim Hemstreet and Legal Department to handle.

City Clerk's Note: 10:40 a.m.

3:06:19 p.m.

R5H An Ordinance Amending Chapter 138 Of The Miami Beach City Code Entitled "Signs" By Amending Section 138-74 Thereof Entitled "Display Of Signs Or Advertisement On Parked Vehicles Prohibited" By Expanding The Prohibition Of Advertisement On Vehicles To Prohibit Advertising Vehicles Operating In Or Upon The Following Streets And Highways Under The City's Jurisdiction: All Of Ocean Drive And The Residential Area Bounded By And Including 6th Street On The South, North Lincoln Lane On The North, Lenox Avenue On The West, And Drexel Avenue And Pennsylvania Avenue On The East; Providing For Exemptions; Providing For Penalties; And Providing For Codification, Repealer, Severability, And An Effective Date. **First Reading.**

(Planning Department)

ACTION: Ordinance approved on first reading. Motion made by Commissioner Liebman; seconded by Mayor Kasdin; Ballot vote: 6-0; Garcia; Absent: Vice-Mayor Bower. Second Reading and Public Hearing scheduled for October 17, 2001. R. Parcher to notice. Lilia Cardillo to place on the agenda. Jorge Gomez to handle.

City Clerk's Note: 11:30 a.m.

3:27:05 p.m.

R5I Revisions To The Sign Regulations
An Ordinance Amending Chapter 138, "Signs" Of The Code Of The City Of Miami Beach, Florida, By Amending Section 138-6, "Signs Located On The Underside Of Awnings Or Canopies;" To Clarify The Requirements For Awning Signs; Amending Sec. 138-10, "Signs For Legal Nonconforming Uses And Legal Nonconforming Signs" To Include Provisions For Restoration And Replacement Of Historic Signs; Amending Sec. 138-72, "Pennants, Banners, Streamers, Flags And Flagpoles", To Include Provisions To Allow Replacement Of Historic Flags; Amending Sec. 138-139, "Major Cultural Institutions Temporary Banner" To Include Provisions For All Cultural Institutions; Providing For Inclusion In The Code Of The City Of Miami Beach, Florida; Repealer; Severability; And An Effective Date. **2:00 p.m. First Reading, Public Hearing**

(Planning Department)

ACTION: Public Hearing held. Ordinance approved on first reading. Motion made by Commissioner Liebman; seconded by Commissioner Cruz; Ballot vote: 6-0; Absent: Vice-Mayor Bower. Second Reading and Public Hearing scheduled for October 17, 2001. R. Parcher to notice. Lilia Cardillo to place on the agenda. Jorge Gomez to handle.

City Clerk's Note: 10:55 a.m.

Handouts:

Notice of Ad in Miami Herald

3:29:18 p.m.

R5J Revision to the Lot Split Process

An Ordinance Amending The Land Development Regulations Of The Code Of The City Of Miami Beach, Florida, Amending Chapter 118, "Administrative And Review Procedures," Article VII, "Division Of Land/Lot Split," By Amending Section 118-321 "Procedure," By Eliminating The Review By The Planning Director And Requiring All Requests For Division Of Land To Be Reviewed By The Planning Board; By Amending Section 118-323 "Appeal Procedures," By Eliminating The Appeal Of The Decision Of The Planning Director To The Planning Board, And By Clarifying Revocation Procedures; By Amending "Appendix A, Fee Schedule - Article VII, Division Of Land/Lot Split" By Adjusting The Fees Pertinent To These Procedures; Providing For Inclusion In The Code Of The City Of Miami Beach, Florida; Repealer; Severability; And An Effective Date. **2:30 p.m. First Reading, Public Hearing.**

(Planning Department)

ACTION: Public Hearing held. Ordinance approved on first reading. Motion made by Commissioner Garcia; seconded by Commissioner Smith; Ballot vote: 6-0; Absent: Vice-Mayor Bower. Second Reading and Public Hearing scheduled for October 17, 2001. R. Parcher to notice. Lilia Cardillo to place on the agenda. Jorge Gomez to handle.

City Clerk's Note: 10:45 p.m.

Handouts:

Notice of Ad in Miami Herald

R6 - Commission Committee Reports

12:02:51 p.m.

R6A Report Of The General Obligation Oversight Committee Meeting Of September 10, 2001: **1)** North Shore Park & Youth Center, Group C Parks; **2)** Program Delivery Analysis Report; **3)** Citywide Shoreline & Waterway Improvement Project(s); **4)** Research And Development Of A Beach Access System For The Disabled; **5)** Neighborhood Contract: La Gorce; **6)** Update On Fire Station(s) 2 & 4; **7)** RFP Award: Normandy Isle Pool; and **8)** Bid Award: Group A & B Parks.

ACTION: Written report submitted. Motion made by Commissioner Dermer to accept the report; seconded by Commissioner Cruz; Voice vote: 6-0; Absent: Vice-Mayor Bower.

12:03:04 p.m.

R6B Report Of The Land Use And Development Committee Meeting Of September 10, 2001: **1)** Monument Island; **2)** Request For Qualifications (RFQ) For Collins Avenue Parking Lots; And **3)** Removal And/Or Relocation Of Full Canopy Trees.

ACTION: Written report submitted. Motion made by Commissioner Liebman to accept the report; seconded by Commissioner Cruz; Voice vote: 6-0; Absent: Vice-Mayor Bower.

1. Approved the Monument Island Plan presented by the Department of Environmental Resources Management (DERM) and to have signage for island installed. **Kevin Smith and Brad Judd to handle.**
2. Not to issue the RFQ until a traffic study is completed and to bring the results of the traffic study back to the Land Use and Development Committee and if staff determines action should be taken sooner, the matter will be brought back to the Land Use Committee.
3. Item deferred.

R7 – Resolutions

11:21:17 a.m.

R7A A Resolution Waiving Development Regulations Pursuant To Section 142-425(D) Of The Land Development Regulations For The Proposed Regional Library Facility, Located In The Collins Park Cultural Campus Area, Said Waiver Regarding The 24 Of The 82 Required Parking Spaces For The Library Facility As Required Under Chapter 130 Of The Land Development Regulations.

10:30 a.m. Public Hearing.

(City Manager's Office)

ACTION: Public Hearing held. Resolution No. 2001-24597 adopted. Motion made by Commissioner Garcia; seconded by Commissioner Liebman; Voice vote: 6-0; Absent: Vice-Mayor Bower. Christina Cuervo to handle.

Handouts:

Notice of Ad in Miami Herald

11:22:421 am

R7B A Resolution Waiving Development Regulations Pursuant To Section 142-425(D) Of The Land Development Regulations For The Miami Beach Chamber Of Commerce Facility Located At 1920 Meridian Avenue; Said Waiver Regarding The Miami Beach Chamber's Required Parking For Four (4) Parking Spaces Corresponding To The Area Leased To State Representative Dan Gelber Pursuant To Chapter 130 Of The Land Development Regulations; Further Authorizing The City Manager To Execute A Restrictive Covenant In Lieu Of Unity Of Title For Three (3) Parking Spaces To Be Provided In The Convention Center And Holocaust Memorial Parking Lot(s). **10:45 a.m. Public Hearing**

(City Manager's Office)

ACTION: Public Hearing held. Resolution No. 2001-24598 adopted. Motion made by Commissioner Smith; seconded by Commissioner Garcia; Voice vote: 6-0; Absent: Vice-Mayor Bower. Christina Cuervo to handle.

Handouts:

Notice of Ad in Miami Herald

5:49:52 p.m.

R7C A Resolution Authorizing The Mayor And City Clerk To Execute A Joint Use Agreement By And Between The City Of Miami Beach And The School Board Of Miami-Dade County To Permit The School Board To Construct Certain Recreational Improvements On The Jointly Owned Property Adjacent To Biscayne Elementary School, Subject To And Conditioned Upon Execution By The School Board's Authorized

Representative Of The Temporary Use Agreement For Miami Beach Senior High Further Provided For Herein; Providing For Terms And Conditions For The Use Of The Jointly Owned Property And Portions Of Playfield Located On The Biscayne Elementary School Property; And Further Authorizing The City Manager To Negotiate And Execute A Temporary Use Agreement With The School Board For Temporary Use Of The Service Road At Miami Beach Senior High School To Facilitate Access To The City's Public Works Yard During The Construction Project At Fire Station 2; And Said Authorizations Be Subject To Negotiations And Preparation Of The Final Documents By The Administration And City Attorney's Office.

(Economic Development)

ACTION: Resolution No. 2001-24599 adopted. Motion made by Commissioner Smith; seconded by Commissioner Dermer; Voice vote: 5-0; Absent: Vice-Mayor Bower and Commissioner Cruz. Tim Hemstreet, Joe Damien and Maria Ruiz to handle.

Commissioner Liebman explained that where the School Board designers are thinking about having a student pick up/drop off area could impact the residents who live on the cul-de-sac to the South. The residential impact needs to be looked at.

Commissioner Smith stated that two of the portables on the property are owned by the County and used by the Community Action Agency and the Head Start Program and they are a deed violation. There is a property deed restriction prohibiting the use of property for any use other than recreation open space. If the two portables are not legally supposed to be there, they need to be removed. Mr. Peter De La Horra, Dade County Schools will investigate. Joe Damien to handle.

Commissioner Garcia requested assurances that the School Board that access to Beach High is going to be honored as part of the deal. Mr. Peter De La Horra stated that it is part of the agreement and the School Board has already approved.

3:32:47 p.m.

R7D A Resolution Authorizing The Mayor And City Clerk To Execute A Concession Agreement By And Between The City Of Miami Beach And Boucher Brothers Miami Beach, LLC, For The Management And Operation Of Beachfront Concessions On The Beaches Seaward Of Lummus Park, Ocean Terrace And North Shore Open Space Park, Miami Beach, Florida, In Accordance With Request For Proposals (RFP) No. 22-00/01; Said Agreement Having An Initial Term Of Five (5) Years, Commencing On November 5, 2001, And Expiring November 4, 2006, With An Option To Renew For An Additional Five (5) Year Term, Subject To The Renewal Terms Provided In The Agreement.
(Economic Development)

ACTION: Discussion held. **Deferred.** Motion made by Commissioner Dermer to defer to October 17; seconded by Commissioner Cruz; Voice vote: 6-0; Absent: Vice-Mayor Bower. Lilia Cardillo to place on the agenda. Christina Cuervo to handle.

Commissioner Cruz requested the Boucher Brothers to identify the item where there is disagreement between them and the Administration.

Issue #1

Michael Milberg stated that food is an issue. To provide food, the Boucher Brothers would like to be able to boil, microwave, blend, and heat with no open flame and no frying.

The consensus of the Commission is that there should be no heating or cooking of food in Lummus Park.

Issue #2

Michael Milberg identified the buffer zones as issue #2. Both Jorge Gonzalez and Christina Cuervo stated that they thought both parties were in agreement. The buffer zone will be 100 feet. The 50% of the concession area is another method which could be used to define the buffer zone. The Administration and Mr. Milberg agreed that this could be agreed upon.

Issue #3.

Leasing of equipment. Because of the current financial conditions and the economy, the Administration needs to be more flexible but still get the best deal for the City.

Issue #4.

Michael Milberg stated a ramp up period. Jorge Gonzalez stated that this needs to be negotiated.

Handout:

1. Letter from Vice-Mayor Bower to Mayor Kasdin and Members of the City Commission, dated September 19, 2001, RE: requesting R7D and R7E be deferred because she could not get back from New York.
2. Interoffice Memorandum from Jorge M. Gonzalez to Mayor Kasdin and Members of the City Commission, dated September 17, 2001, RE: Transcript of September 5, 2001, item R7E, amendment No. 4.
3. One page document titled: "Approval for Administration to Enter into Temporary Agreement with Boucher Brothers"
4. Petitions
5. One page document listing 4 items #1. Regarding Beach Concession rental areas.
6. Letter from Tommy Tune to Mayor and Commissioners, dated September 13, 2001.
7. Speakers list

3:32:47 p.m.

R7E A Resolution Waiving By 5/7ths Vote, The Competitive Bidding Requirement, Finding Such Waiver To Be In The Best Interest Of The City, And Authorizing The Mayor And City Clerk To Execute A Concession Agreement By And Between The City Of Miami Beach And Boucher Brothers Miami

Beach, LLC, For The Management And Operation Of A Food And Beverage Concession On A Portion Of The City's 10th Street Auditorium, Located At 1001 Ocean Drive, Miami Beach, Florida, Consisting Of An Area No Greater Than 1500 Square Feet; Said Agreement Having An Initial Term Of One (1) Year And Terminable Without Cause And For Convenience, With Thirty (30) Days Written Notice, At The City's Discretion; Further Authorizing The Administration And City Attorney's Office To Prepare Said Agreement In Accordance With The Substantive Terms Set Forth In This Resolution; In The Event The Administration And City Attorney's Office Are Unable To Negotiate Set Agreement, Authorizing The City Manager To Terminate Negotiations.
(Economic Development)

ACTION: Discussion held. **Deferred.** See action R7D.

6:04:37 p.m.

R7F A Resolution Authorizing The Execution And Delivery Of A Master Equipment Lease/Purchase Agreement With Banc Of America Leasing & Capital, LLC; Authorizing The Lease And Purchase Of Certain Equipment Thereunder And The Execution Of Schedules With Respect To Such Equipment; Authorizing The Execution Of Such Other Documents As May Be Necessary To Complete The Transactions Contemplated Hereby; Repealing A Prior Financing Plan For Equipment; And Providing An Effective Date.

(Finance Department)

ACTION: Resolution No. 2001-24600 adopted. Motion made by Commissioner Liebman; seconded by Commissioner Smith; Voice vote: 5-0; Absent: Vice-Mayor Bower and Commissioner Cruz. Patricia Walker to handle.

Patricia Walker stated on the record that the amounts listed in the schedule in the agenda package on page 413 has been amended to exclude the numbers in order to allow more flexibility with the banks.

City's Note: See Supplemental materials.

11:39:38 a.m.

R7G A Resolution Approving A Three Year Labor Agreement Between The City And The Miami Beach Municipal Employees Union, AFSCME Local No. 1554, For The Period From May 1, 2001, Through April 30, 2004, And Authorizing The Mayor And City Clerk To Execute The Agreement.

(Human Resources)

ACTION: Heard in conjunction with item R5F. Resolution No. 2001-24601 adopted. Labor Agreement modified to correct scrivener error (page 19). Motion made by Commissioner Smith; seconded by Commissioner Garcia; Voice vote: 6-0; Absent: Vice-Mayor Bower. Mary Greenwood to handle.

Language added to the contract: "Employees who receive a score of less than eighty (80), but sixty (60) or above, shall receive a two percent (2%) increase on their merit date."

6:09:22 p.m.

R7H A Resolution Calling For A General Election To Be Held On November 6, 2001 In The City Of Miami Beach For The Purpose Of Electing A Mayor And Three City Commissioners (Group Numbers I, II, And III); Providing For Conduct Of Same By The Miami-Dade County Elections Division; Providing That Voting Precincts Shall Be Those As Established By Miami-Dade County; Providing For Notice Of Elections; Providing For The Form Of Ballot And Registration Of Voters In Accordance With State Law; Providing For Payment For Conducting Election To Miami-Dade County.

(City Attorney's Office)

ACTION: Resolution No. 2001-24602 adopted. Motion made by Commissioner Liebman; seconded by Commissioner Dermer; Voice vote: 6-0; Absent: Vice-Mayor Bower. R. Parcher to handle.

6:09:24 p.m.

R7H1 Designation Of City Of Miami Beach Canvassing Board For November 6, 2001 General And Special Election.

(City Attorney's Office)

ACTION: Motion made by Commissioner Smith to designate Judge Farina or his designee and Mr. Harvey Ruvlin, County Clerk or his designee as long as they are not actually participating in a Miami Beach election; seconded by Commissioner Garcia; Voice vote: 5-0; Absent: Vice-Mayor Bower and Commissioner Cruz. R. Parcher to handle. The City Manager needs to make the third an appointment.

10:07:56 am

ADDENDUM ITEM:

R7I A Resolution Consenting To And Confirming The Appointment Of Donald DeLucca As Chief Of Police For The City Of Miami Beach.

(City Manager's Office)

ACTION: Resolution No. 2001-24604 adopted. Motion made by Commissioner Dermer; seconded by Commissioner Smith; Voice vote: 6-0; Absent: Vice-Mayor Bower.

Jorge Gonzalez, City Manager, Introduced Chief Don DeLucca as the Chief of Police for the City of Miami Beach, effective October 1, 2001.

Oath of Office taken by Don DeLucca.

Bernie Ruder, President of F.O.P., stated that they support the appointment of Chief DeLucca as Chief of the Police Department.

Chief Barreto complimented the City Manager on the way the selection process was handle.

Handout:

1. Copy of Donald DeLucca's Oath. Original filed with resolution.

R9 - New Business and Commission Requests

R9A Board and Committee Appointments.

(City Clerk's Office)

ACTION:**Committee on the Status of Women.**

Jeanette Egozi term expires 12/31/2001 appointed by Commissioner Smith

6:19:22 p.m.

R9B Discussion Regarding An Ordinance Regarding "Single Utility Billing"/Waste Impact Fee.
(Requested By Commissioner Nancy Liebman)

ACTION: Discussion held. Motion made by Commissioner Liebman instructing the City Attorney to draft an ordinance to delete the waste impact fee for those homes having private garbage pickup and are on a private street; seconded by Commissioner Garcia; Voice vote: 3-2; Opposed: Mayor Kasdin and Commissioner Smith; Absent: Vice-Mayor Bower and Commissioner Cruz. Legal Department to handle.

R9C Discussion Regarding The Alaska Parcel.

(Requested By Commissioner Nancy Liebman)

(Deferred From September 5, 2001)

ACTION: Deferred.

6:25:13 p.m.

R9D Discussion Regarding New Findings Relating To The Zoning And Florida Power & Light Restrictions On The Proposed Site For Fire Station No. 4.

(Requested By Commissioner Luis R. Garcia, Jr.)

ACTION: Discussion held. Motion made by Commissioner Garcia to direct the Administration to pursue design options on the north and west side of the site taking into consideration any zoning or bond requirements; seconded by Commissioner Dermer; Voice Vote: 5-0; Absent: Vice-Mayor Bower and Commissioner Cruz. Tim Hemstreet to handle.

3:32:47 p.m.

R9E Discussion Regarding Beach Concessions And Cooking In Lummus Park.

(Requested By Commissioner Nancy Liebman)

ACTION: See action R7D.

6:13:28 p.m.

R9F Discussion Regarding A Resolution Setting A Public Hearing To Consider A Waiver Of Development Regulations Under Section 142-425(d) Of The City Code, Applicable To The 17th Street Garage, To Permit An Informational Sign On The Garage Identifying Its Proximity To Lincoln Road, Which Sign Would Exceed The Applicable Sign Regulations, Would Be Subject To Design Review Approval, And Would Remain Until The Pennsylvania Avenue Connection Between The Convention Center And Lincoln Road Is Established.

(Requested By Commissioner Nancy Liebman)

ACTION: Discussion held. **Resolution No. 2001-24605 adopted.** Motion made by Commissioner Liebman to set the public hearing on October 17; seconded by Commissioner Dermer; Voice vote: 5-0; Absent: Vice-Mayor Bower and Commissioner Cruz. R. Parcher to notice. Lilia Cardillo to place on agenda. **Jorge Gomez to handle. Gary Held to prepare notice.**

NOTE: 15-day notice and mailers required. Need to advertise no later than OCT 3/ Sept 30 for Neighbors.

ADDENDUM ITEM:

6:15:58 p.m.

R9G Discussion Regarding A Resolution Urging The Miami Beach Police Department And The Fraternal Order Of Police To Allow Reserve Officers Who Have Served The City Of Miami Beach For A Minimum Of Fifteen Years To Be Honored Upon Retirement With A Presentation Of Their Service Weapons And Recognition On The Wall Of Honor At The Miami Beach Police Station.

(Requested By Mayor Neisen Kasdin)

ACTION: Discussion held. **Referred.** Motion made by Commissioner Garcia to refer to the Community Affairs Committee; seconded by Commissioner Smith; Voice vote: 5-0; Absent: Vice-Mayor Bower and Commissioner Cruz. Judy Hoanshelt to place on the agenda.

Officer Bernie Ruder and reserve officers to be notified of the meeting.

ADDENDUM ITEM:

2:02:09 am.

R9H Discussion Regarding The Impact Of Last Week's Tragedy, Effect It May Have On Our Tourism Industry And What Federal, State And Local Initiatives The City Should Pursue.
(Requested By Mayor Neisen Kasdin)

ACTION: Mayor Kasdin stated that the tragic event which occurred in New York City is already having a devastating impact on the economy of Miami Beach. Tourism is Miami Beach's main business.

Focus needs to be on trying to counteract the damage to the tourism industry. It involves a commitment of the Administration to work on a plan with other tourism officials and local, State and Federal officials. To use the City's Federal and State lobbyists to pass legislation to promote tourism by insuring that any bailout legislation creates a benefit for the tourism industry. **Christina Cuervo to notify Federal and State lobbyists.**

Bill Talbert, GMCVB, gave an overview of how the tourism industry is suffering. He will be asking the County for \$500,000 additional monies for a marketing program. He asked the City to consider giving \$250,000 to jump-start a drive rather than fly campaign.

State Representative Dan Gelber stated that the State is not in very good financial condition and lack of tourism is a major concern. He also talked on the issue of security. Municipalities must have a strong security and risk management plan.

Commissioner Smith stated that every effort must be made to get the Super-Bowl to come to Miami.

Commissioner Liebman stated that Art Basel is still coming.

Commissioner Smith feels that the press must get involved and promote this idea of sponsoring our hotels and restaurants.

Mayor Kasdin summed the discussion up by stating that the Administration needs to develop a comprehensive plan dealing with the economic and security aspects and another areas which need to be addressed. Christina Cuervo to handle.

R10 - City Attorney Reports**R10A Notice Of Closed Executive Session.)**

Pursuant To Section 286.011, Florida Statutes, A Closed Executive Session Will Be Held During Lunch Recess Of The City Commission Meeting On September 20, 2001 In The City Manager's Large Conference Room, Fourth Floor, City Hall, To Discuss Settlement Issues Of The Following Case:

Gazit (Meridian) Inc., A Florida Corporation Vs. The City Of Miami Beach, A Florida Municipal Corporation. Eleventh Judicial Circuit, General Jurisdiction, Case No. 00-30164 CA 24.

The Following Individuals Will Be In Attendance: Mayor Neisen Kasdin; Members Of The Commission: Matti Herrera Bower, Simon Cruz, David Dermer, Luis R. Garcia, Jr., Nancy Liebman, And Jose Smith; City Attorney Murray H. Dubbin, City Manager Jorge M. Gonzalez, Deputy City Attorney Robert Dixon, And First Assistant City Attorney Debora Turner.

ACTION: Announced and held.

Reports and Informational Items

- A Status Report on the Collins Park Cultural Center.
(City Manager's Office)

ACTION: Written report submitted.

- B Informational Report To The Mayor And City Commission, On All Existing City Contracts For Renewal Or Extensions In The Next 180 Days, Which By Their Terms Or Pursuant To Change Orders Exceed \$25,000.
(Procurement)

ACTION: Written report submitted.

6:27:54 p.m.

- C Altos Del Mar Park Report.
(City Manager's Office)

ACTION: Written report submitted. Motion made by Commissioner Liebman to deny the request. The City will not override demolition request and the State should proceed with the sale of the lots, and reject the bids if the bids do adequately cover the debt; seconded by Commissioner Smith; Voice vote: 5-0; Absent Vice-Mayor Bower and Commission Cruz. Christina Cuervo to handle.

City Clerk's Note: See Supplemental Material

End of Regular Agenda
Miami Beach Redevelopment Agency
Commission Chambers, 3rd Floor, City Hall
1700 Convention Center Drive
September 20, 2001

Member of the Board Matti Herrera Bower	Absent
Member of the Board Simon Cruz	Present
Member of the Board David Dermer	Present
Member of the Board Luis R. Garcia, Jr.	Present
Member of the Board Nancy Liebman	Present
Member of the Board Jose Smith	Present

Executive Director Jorge M. Gonzalez
Assistant Director Christina M. Cuervo
Assistant Director Mayra Diaz Buttacavoli
General Counsel Murray H. Dubbin
Secretary Robert E. Parcher

AGENDA

1. ROLL CALL
2. OLD BUSINESS
3. NEW BUSINESS
- 4.

10:48:30 am.

- A A Resolution Of The Chairman And Members Of The Miami Beach Redevelopment Agency Adopting Operating And Capital Budgets For The South Pointe And City Center Redevelopment Areas For Fiscal Year 2001/02.

(Budget Item)

Resolution No. 395-2001 adopted. Motion made by Commissioner Liebman; seconded by Commissioner Cruz; Voice vote: 6-0; Absent: Vice-Mayor Bower. Christina Cuervo to handle.

10:49:51 am.

- B A Resolution Of The Chairman And Members Of The Miami Beach Redevelopment Agency Adopting And Appropriating The Operating Budget For Fiscal Year 2001/02, For The Operation Of The Parking Component Of The Anchor Shops And Parking At South Beach, Said Parking Component To Be Operated By Quik Park Of Florida, Inc., Until Expiration Of The Initial Term On December 14, 2001 (75 Days), In Accordance With The Terms And Conditions Of The Garage Facility Management Agreement Dated July 15, 1998, Between The Agency And Quik Park Of Florida, Inc. For The Operation Of The Anchor Garage; And For The Remaining 290 Days To Be Operated By The City Of Miami Beach Parking Department For The Miami Beach Redevelopment Agency, On A Reimbursement Basis; And Providing An Effective Date.

(Budget Item)

Resolution No. 396-2001 adopted as amended. Motion made by Commissioner Cruz to approve the budget and extend Quik Park's contract for another year; seconded by Commissioner Garcia; Voice vote: 4-2; Opposed Commissioners Smith and Liebman; Absent: Vice-Mayor Bower. Christina Cuervo to handle.

Handout:

1. Letter from Rafael Llpiz, Vice President, Quik Park, to Mayor and City Commission, dated September 20, 2001.

Meeting adjourned at 6:32:46 p.m.

End of Agenda